

TEMPORARY

No. 67903-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 13 2001

Returned to applicant for correction _____

Corrected application filed _____

Map filed _____

The applicant **Home Ranch LLC**, hereby makes application for permission to change the point of diversion and place of use of a portion of water heretofore appropriated under **Permit 28037 Certificate 8543**

1. The source of water is **underground**
2. The amount of water to be changed **1.37 cfs**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point **NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, T.43N., R.37E., MDB&M or at a point from which the NE corner of said Section 8 bears N 88°39' E 1273.5 feet**
6. The existing permitted point of diversion is located within the **NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, T.44N., R.37E., MDB&M or at a point from which the W $\frac{1}{4}$ corner of said Section 29 bears N 49°04' W 1908.7 feet**
7. Proposed place of use **220 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7; SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, all in T.43N., R.37E., MDB&M**
8. Existing place of use **220 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 30; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, all in T.44N., R.37E., MDB&M**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pump, motor, and ditches**
12. Estimated cost of works **in excess of \$50,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**

67903-T

15. Remarks: The map filed in support of the permanent application to change Permit 28037 (filed at the same time as this temporary application) also supports this temporary application.

Desert Mountain Surveying as agent
By John H. Milton III, PLS, SWRS
ss/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared jm/sam

Protested _____

DENIAL OF STATE ENGINEER

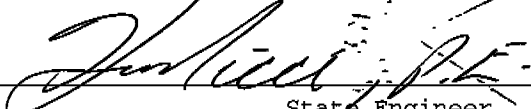
This application is hereby denied on the grounds that to grant a permit no longer needed by the applicant would threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 10th day of September, A.D. 2003


State Engineer

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
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5. The water is to be diverted at the following point **NE¼ of the NE¼ of Section 8, T.43N., R.37E., MDB&M or at a point from which the NE corner of said Section 8 bears N 88° 39' E 1273.5 feet.**
6. The existing permitted point of diversion is located within **the NE¼ of the SW¼ of Section 29, T.44N., R.37E., MDB&M or at a point from which the W ¼ corner of said Section 29 bears N 49° 04' W 1908.7 feet.**
7. Proposed place of use **220 acres within the SE¼ SE¼ and NE¼ NE¼ of Section 7; SW¼ and SW¼ SE¼ of Section 5, all in T.43N., R.37E., MDB&M**
8. Existing place of use **220 acres within the SE¼ SE¼, SW¼ SE¼, and SE¼ SW¼ of Section 19; W½ NE¼, E½ NW¼, E½ SW¼ and N½ SE¼ of Section 30; NE¼ NE¼, NW¼ NE¼, and NE¼ NW¼ of Section 31, all in T.44N., R.37E., MDB&M**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pump, motor, and ditches**
12. Estimated cost of works **in excess of \$50,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks:

**Desert Mountain Surveying as agent
By John H. Milton III, PLS, SWRS
s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445**

Compared my/CMF ds/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 28037, Certificate 8543, is issued subject to the terms and conditions imposed in said Permit 28037, Certificate 8543, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.37 cubic feet per second, and not to exceed 880 acre-feet annually, and not to exceed an annual duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 4, 2003

Proof of completion of work shall be filed before:

May 4, 2003

Water must be placed to beneficial use on or before:

April 4, 2005

Proof of the application of water to beneficial use shall be filed on or before:

May 4, 2005

Map in support of proof of beneficial use shall be filed on or before:

May 4, 2005

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 4th day of, April, A.D. 2002

Hugh Ricci
State Engineer

Completion of work filed APR 14 2005

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

